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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 SHAREBUILDER SECURITIES
10 CORPORATION, a Washington corporation,

11 Plaintiff,

12 v.

13 NYSE ARCA EQUITIES, INC., a Delaware
14 corporation

15 Defendant.

C09-703Z

MINUTE ORDER

16 The following Minute Order is made by direction of the Court, the Honorable Thomas
17 S. Zilly, United States District Judge:

18 (1) On 4/1/2010, Defendant filed a motion to dismiss pursuant to Fed. R. Civ. P.
19 12(b)(1) and 12(b)(6), docket no. 23. By Minute Order, docket no. 31, the Court set the
20 motion for oral argument, which has been set for July 13, 2010 at 1:30 p.m., and provided
21 notice that it intended to consider the Rule 12(b)(6) motion as one for summary judgment
22 under Fed. R. Civ. P. 12(d). Plaintiff has filed supplemental materials in opposition to the
23 summary judgment. Docket nos. 32-34. Defendant may submit any evidence that is
24 responsive to plaintiff's submissions no later than July 6, 2010. No additional materials shall
25 be submitted without leave of the Court.

26 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
record.

Filed and entered this 24th day of June, 2010.

BRUCE RIFKIN, Clerk

By s/ Claudia Hawney

Claudia Hawney
Deputy Clerk